

SEP 26 2006

Application No. 10/720923
Amendment dated September 25, 2006
Reply to Office Action of July 13, 2006

Docket No.: 013436.0287C1US
(Bushnell 26-27)

REMARKS

Claims 1 – 14 are pending in this application.

In the Office Action mailed 13 July 2006, the Examiner rejected claims 1 – 14 under 35 USC §102(e) as being anticipated by Robbins (US Patent Application Publication No. 2004/0072593) noting with respect thereto:

Regarding claim 1, Robbins discloses an interoperability system (fig. 2, 134) connected to an enterprise communication network (fig. 2 139) and a public communication network (fig. 2 106) for providing call pick up service to a user's wireless station set (fig. 2 130) which is located in the coverage area of a one of said enterprise communication network and said public communication network (fig. 2), and which is a member of a call pick up group comprising said user's wireless station set and a plurality of additional station sets ("desk phone 136" see [0062] interpreted as number of desk phones connected to same phone line; or "The soft switch 134 can send SIP signaling related to a single call to multiple devices" see [0134]-[0135]; or "The user may also carry other cellular enabled data devices" see [0067] and [0137]-[0138]), comprising:

presence server means ("server" see [0077] and fig. 5, 134) for storing user location data representative a service location of a user wireless station set ("the subscriber device's location in memory" and "user's settings" see [0100]-[0104]);

query means (fig. 5 134) for exchanging said user location data (figs. 8-9 and [0091]-[0101]) with said enterprise communication network and said public communication network (figs. 9-10 and descriptions); and

call pickup means (fig. 1, 134), responsive to said user location data and the presence of a call directed to said user wireless station set, for transmitting an alert signal to all of said user's wireless station set and said plurality of additional station sets ("desk phone 136" see [0062] interpreted as number of desk phones connected to same phone line; or "The soft switch 134 can send SIP signaling related to a single call to multiple devices" see [0134]-[0135]; or "The user may also carry other cellular enabled data devices" see [0067] and [0137]-[0138]).

Applicants have reviewed the cited Robbins Patent and the Examiner's clearly stated grounds of rejection, and have amended independent claims 1 and 8 to more precisely define Applicants' invention and also present the following arguments in support of patentability.

Applicants' interoperability system functions to extend the wireless Private Branch Exchange services provided in the enterprise communication network to the cellular communication network based on the presence and supervision data provided by the interoperability system. The provision of ubiquitous service to the user, regardless of their location,

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provides a significant advantage over existing Private Branch Exchange and cellular communication network services. In addition, the user is equipped with only one wireless station set, which can operate as a cordless Private Branch Exchange extension in the office or as a standard wireless station set outside of the office. By provisioning the Private Branch Exchange with this wireless station set mobility, this allows the user to roam within the wireless coverage area of one of the two networks or to roam between the two networks. This capability also provides telephone coverage personnel with information about the status of a user's wireless station set before they attempt to forward a call or simply call the user's wireless station set.

Furthermore, with Presence Based Call Pick Up, the presence of a waiting call for one employee triggers notification to all the members of the Pick Up Group. The waiting call notification can be delivered via distinctive ringing patterns, special call waiting tones, or instant messages. With Presence Based Call Pick Up, the members of the Call Pick Up Group no longer need to be co-located or even served by the same call control or switching system. Members of the Call Pick Up Group can include remote workers and even wireless telephones. This capability is now more precisely recited in Applicants' independent claims, of which claim 1 is an example:

An interoperability system connected to an enterprise communication network and a public communication network for providing call pick up service to a user's wireless station set which is located in the coverage area of a one of said enterprise communication network and said public communication network, and which is a member of a call pick up group comprising said user's wireless station set and a plurality of additional station sets, comprising:

presence server means for storing user location data representative a service location of a user wireless station set;

query means for exchanging said user location data with said enterprise communication network and said public communication network;

call pickup group definition means for storing data that defines members of a call pick up group comprising said user's wireless station set and a plurality of additional station sets to allow all members of said call pick up group to answer each others telephones;

call pickup notification means, responsive to said user location data and the presence of a call directed to any member of said call pick up group comprising said user wireless station set and a plurality of additional station sets, for transmitting an alert signal to all members of said call pick up group comprising said user's wireless station set and said plurality of additional station sets; and

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call pickup means, responsive to any member of said call pick up group activating a call pick up service, for redirecting said call to said any member of said call pick up group.

Thus, Applicants' call pick up group defines members of a call pick up group comprising the user's wireless station set and a plurality of additional station sets to allow all members of the call pick up group to answer each other's telephones. In addition, Applicants' call pick up service is responsive to any member of the call pick up group activating a call pick up service for redirecting the call to any member of the call pick up group.

In contrast, the Robbins Patent discloses a soft switch providing wireless PBX voice services to a local area network (WLAN) used to extend PBX functionality to the cellular domain. A dual mode remote unit is capable of receiving signals both in the cellular system as well as the WLAN. The cellular system is comprised of a data-bearing path and a voice-bearing path. When the dual mode remote unit is within the WLAN, it communicates both voice-over IP (VoIP) signaling as well as session initiation protocol (SIP) control signaling over the WLAN. When the remote unit is outside the WLAN, it communicates voice signaling over the voice-bearing path of the cellular network using a standard cellular voice channel. In parallel, it uses the data-bearing path of the cellular network to transmit SIP control signaling. The Robbins Patent discloses a call coverage and follow-me call forwarding arrangements wherein an assistant can cover calls for a principal by receiving incoming call notification simultaneously with the incoming call alert to the principal's phone [134]-[135], even if the assistant is away from their desk. However, the Robbins Patent fails to show or suggest a call pick up group that defines members of a call pick up group comprising the user's wireless station set and a plurality of additional station sets to allow all members of the call pick up group to answer each other's telephones. In addition, the Robbins Patent fails to show or suggest a call pick up service, which is responsive to any member of the call pick up group activating a call pick up service, for redirecting the call to any member of the call pick up group.

Applicants have amended independent claims 1 and 8 in order to more clearly define a call pick up group and its operation to distinguish Applicants' invention from the teachings of the Robbins Patent. Thus, Applicants believe that independent claim 1 is allowable under 35 USC §102(e) over the Robbins Patent, since this reference fails to show or suggest the structure recited in Applicants' independent claim 1, as noted above. In addition, Applicants respectfully maintain that

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independent claim 8 is also allowable under 35 USC §102(e) over the Robbins Patent for the reasons noted with respect to independent claim 1. Finally, Applicants believe that dependent claims 2 – 7 and 9 – 14 are allowable under 35 USC §102(e) over the Robbins Patent, since these claims depend on allowable base claims.

In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance. Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-1848, under Order No. 013436.0287C1US from which the undersigned is authorized to draw.

Respectfully submitted,
PATTON BOGGS LLP

Dated: 25 SEPTEMBER 2006

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